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5 ATTORNEY FOR DEFENDANT
6 BLANCHE PATRICIA HASSALL

7
8 IN THE UNITED STATES DISTRICT COURT FOR THE
9 EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,)	CR.-S-05-128-LKK
11 PLAINTIFF,)	STIPULATION AND
12 v.)	ORDER TO CONTINUE STATUS
13 BLANCHE PATRICIA HASSALL,)	CONFERENCE AND FINDING OF
et al.,)	EXCLUDABLE TIME
14 DEFENDANTS.)	
15)	

16 The United States of America represented by U.S. Attorney Mr. Steve Lapham,
17 defendant James Kalfsbeek, represented by his attorney Scott L. Tedmon, defendant
18 Amy Polnoff represented by her attorney John Balazs, defendant David Polnoff
19 represented by his attorney Bruce Locke, defendant Louise Renfro represented by her
20 attorney Candace Fry, defendant Donna Rowe also known as Donna Willis
21 represented by her attorney Joseph Wiseman, defendant Sherwood T. Rodriguez
22 represented by his attorney Robert J. Peters and defendant Blanche Patricia Hassal
23 represented by her attorney James R. Greiner hereby stipulate and agree as follows:

24 All parties agree and stipulate that the current status conference set for Tuesday,
25 October 30, 2007, at 9:30 a.m. before the Honorable Senior District Court Judge
26 Lawrence K. Karlton, may be continued to Tuesday, February 12, 2008.
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1 Further, all parties agree that this Court, from the defendants' first appearance in
2 the District Court, has made a finding that this case is complex and unusual (due to the
3 number of defendants, the nature of the prosecution, the existence of novel questions
4 of fact and/or law, the volume of discovery in the case, the international investigation
5 potentially necessary) and that the parties need additional time to effectively prepare
6 this case based on the complexity of the case and continuity of counsel, such that time
7 has been excluded under the Speedy Trial Act Title 18 U.S.C. section 3161(h)(8)(B)(ii)
8 and (iv) and under Local Codes T-2 and T-4. (See Docket Entries 50, 58, 59, 98, 103,
9 105, 118, 128, 131, 136, 141, and 151)

10 11 STATUS OF THE CASE

12 1. Two new Court appointed attorneys have just recently been substituted into
13 the case pursuant to the CJA Act. Mr. John Balazs now represents defendant Amy
14 Polnoff. The Court signed the substitution Order on May 10, 2007 and it was filed on
15 May 11, 2007. (See Docket Entry #149) Mr. Bruce Locke now represents defendant
16 David Polnoff. The Court signed the substitution Order on July 30, 2007. (See Docket
17 Entry # 150)

18 2. Mr. Balazs has been in the case for approximately a short five (5) months and
19 Mr. Locke has been in the case for approximately a short almost three (3) months.

20 3. Both Mr. Balazs and Mr. Locke are diligently beginning the reviewing
21 process of the discovery in this case. The discovery in this case consists of
22 approximately 2,530 documents in hard copy discovered by the government and an
23 additional approximate 400,000 documents obtained by the government pursuant to a
24 Search Warrant issued out of El Dorado County, State of California on July 19, 2002.
25 The search warrant documents were seized some two (2) years and nine (9) months
26 prior to the first seal indictment being filed by the government on March 24, 2005.
27 (See Docket Entry #1) The Superseding Indictment was then filed on June 23, 2005

1 (See Docket Entry # 9) and the defendants then made their first appearances shortly
2 thereafter. (See Docket Entries # 21, 22, 40, 44 and 54)

3 4. The reviewing process of the documents in this case (over approximately
4 400,000) is continuing for all defendants and especially for defense counsel Mr. Balazs
5 and Mr. Locke. All defense counsel are diligently working under the mindful rule of
6 *Stickland v. Washington*, 466 U.S. 668 (1984), in preparing this case.

7 5. The defense has obtained from the FBI the mirror imaged contents of the
8 computers seized in this case pursuant to the search warrant and is in the process of
9 determining the most efficient procedure to review that information.

10 6. All parties, the government and the defense, agree that due to the complex
11 nature of the case, both in terms of investigation being international in scope and the
12 number of documents involved (over 400,000), and the fact that M. Balazs and Mr.
13 Locke have just begun the reviewing process of the discovery, that a continuance of
14 the status conference is in the best interest of all parties and serves the interests of
15 justice.

16 7. Both the government and the defense agree and stipulate that the Status
17 Conference currently set for Tuesday, October 30, 2007, may be continued to Tuesday,
18 February 12, 2008, for all the reasons set forth herein and time under the Speedy Trial
19 Act can be excluded for all of the reasons stated herein.

20 8. In addition, both the government and the defense agree and stipulate that the
21 Court can continue to find excludable time under the Speedy Trial Act through and
22 including Tuesday, February 12, 2008, pursuant to Title 18 U.S.C. section
23 3161(h)(8)(B)(ii) and (iv) and local codes T-2 and T-4, complexity and reasonable
24 time for effective preparation and continuity of counsel for all of the reasons stated on
25 the record in open Court at earlier status conference hearings and all of the reasons set
26 forth in earlier Orders of this Court continuing Status conferences and all of the
27 reasons set forth herein. (See Docket Entries 50, 58, 59, 98, 103, 105, 118, 128, 131,
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1 136, 141, and 151)

2 9. The Court's courtroom deputy was called and checked with to ensure the date
3 proposed was clear and available for the Court.

4 10. All counsel have given present counsel authority to sign on their behalf.

5 11. All of the defendants are out on pre-trial release conditions.

6 It is so agreed and stipulated to.

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McGREGOR W. SCOTT
UNITED STATES ATTORNEY

/s/ R. Steven Lapham-telephone authorization
DATED: 10-16-07

R. STEVEN LAPMAN
ASSISTANT UNITED STATES ATTORNEY
ATTORNEY FOR THE PLAINTIFF

DATED: 10-16-07 LAW OFFICE OF SCOTT L. TEDMON

/s/ Scott L. Tedmon e mail authorization

SCOTT L. TEDMON
ATTORNEY FOR JAMES KALFSBEEK

DATED: 10-16-07 LAW OFFICE OF DWIGHT M. SAMUEL

/s/ Dwight M. Samuel- telephone authorization

DWIGHT M. SAMUEL
ATTORNEY FOR KURT LAKOTA

DATED: 10-16-07 LAW OFFICE OF ROBERT J. PETERS

/s/Robert J. Peters- telephone authorization

ROBERT J. PETERS
ATTORNEY FOR SHERWOOD T. RODRIGUEZ

DATED: 10-16-07 LAW OFFICE OF JOHN BALAZS

/s/ John Balazs -telephone authorization

JOHN BALAZS
ATTORNEY FOR AMY POLNOFF

1 DATED: 10-16-07

LAW OFFICE OF CANDACE A. FRY

2 /s/ Candace A. Fry--e mail authorization

3 CANDACE A. FRY
4 ATTORNEY FOR LOUISE RENFRO

5 DATED: 10-16-07

LAW OFFICE OF JOSEPH J. WISEMAN

6 /s/ Joseph J. Wiseman- e mail authorization

7 JOSEPH J. WISEMAN
8 ATTORNEY FOR DONNA ROWE

9 DATED: 10-16-07

BRUCE LOCKE--MOSS AND LOCKE

10 /s/ Bruce Locke- e mail authorization

11 BRUCE LOCKE
12 ATTORNEY FOR DAVID POLNOFF

13 DATED: 10-16-07

LAW OFFICES OF JAMES R. GREINER

14 /s/ James R. Greiner


15 JAMES R. GREINER
16 ATTORNEY FOR BLANCHE HASSALL

17 **ORDER**

18 **FOR GOOD CAUSE APPEARING**

19 **IT IS SO ORDERED.**

20 DATED: October 18, 2007

21 
22 LAWRENCE K. KARLTON
23 SENIOR JUDGE
24 UNITED STATES DISTRICT COURT
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